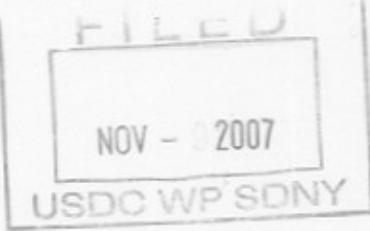


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, WELFARE and APPRENTICESHIP SKILL  
IMPROVEMENT & SAFETY FUNDS of the INTERNATIONAL  
UNION OF OPERATING ENGINEERS, LOCAL 15, 15A, 15C  
and 15D, AFL-CIO by its Trustees JAMES T. CALLAHAN,  
LYNN A. MOUREY, ROBERT SHAW and RUSSELL  
SHAW, and JOHN and JANE DOE, as Beneficiaries of the  
ANNUITY, WELFARE and APPRENTICESHIP SKILL  
IMPROVEMENT & SAFETY FUNDS of the INTERNATIONAL  
UNION OF OPERATING ENGINEERS, LOCAL 15, 15A, 15C  
and 15D, AFL-CIO,



RULE 7.1  
STATEMENT

07-CIV-

**07 CIV. 9906**

JUDGE GRIESA

Plaintiffs,

-against-

MODERN CONTINENTAL CONSTRUCTION CO., INC.,

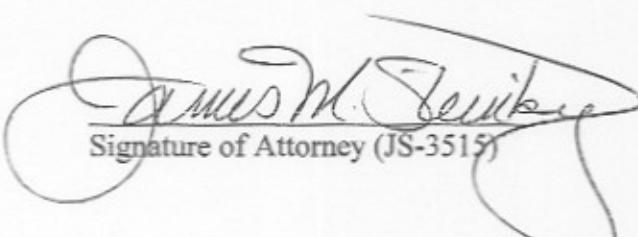
Defendant.

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Pursuant to Federal Rule of Civil Procedure 7.1 (formerly Local General Rule 1.9) and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for the ANNUITY, WELFARE and APPRENTICESHIP SKILL IMPROVEMENT & SAFETY FUNDS of the INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 15, 15A, 15C & 15D, AFL-CIO (a private non-governmental party) certifies that the following are corporate parents, affiliates and/or subsidiaries of said party which are publicly held:

NONE

Dated: November 8, 2007

  
Signature of Attorney (JS-3515)